

HOUSE BILL 735

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M2

2003 Regular Session  
(3r0503)

**ENROLLED BILL**  
*-- Environmental Matters/Education, Health, and  
Environmental Affairs --*

Introduced by **Delegates O'Donnell, Bohanan, Owings, Proctor, Vallario, and  
Wood**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Calvert and St. Mary's Counties - Shellfish - Harvesting by Wharf Owners**

3 FOR the purpose of allowing in Calvert and St. Mary's counties the owner of certain  
4 wharves or other structures on or about the water to have the exclusive use of  
5 certain areas around the wharf or structure to grow and harvest shellfish;  
6 providing for the ownership of certain oysters in Calvert and St. Mary's counties  
7 if the oysters are grown in certain containers that are attached to certain piers  
8 and wharves; and generally relating to oyster cultivation in Calvert and St.  
9 Mary's counties.

10 BY repealing and reenacting, with amendments,  
11 Article - Natural Resources  
12 Section 4-11A-16(b)  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume and 2002 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Natural Resources**

4 4-11A-16.

5 (b) The owner of any wharf or other structure constructed on or about the  
6 water and approved by the corps of engineers, shall have exclusive use, for the  
7 purpose of growing and harvesting shellfish, of the area:

8 (1) Below the owner's wharf or structure; {and}

9 (2) In ~~Talbot~~ and CALVERT, Howard, ST. MARY'S, AND TALBOT counties  
10 only, within 5 feet of the owner's wharf or structure, oysters grown in trays, baskets,  
11 or containers that are attached to a private pier or wharf by lines or ropes that are the  
12 property of the owner of the pier or wharf; ~~AND~~

13 ~~(3) IN CALVERT AND ST. MARY'S COUNTIES ONLY, WITHIN 15 FEET OF~~  
14 ~~THE OWNER'S WHARF OR STRUCTURE, OYSTERS GROWN IN TRAYS, BASKETS, OR~~  
15 ~~CONTAINERS THAT ARE ATTACHED TO A PRIVATE PIER OR WHARF BY LINES OR~~  
16 ~~ROPES THAT ARE THE PROPERTY OF THE OWNER OF THE PIER OR WHARF.~~

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 July 1, 2003.